

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicants: Moser et al.

Title: POLYMERASE  
INHIBITOR AND  
METHOD OF USING  
SAME

Application No.: 10/551,705

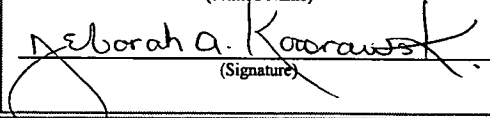
International Filing Date: 04/01/2004

371(c) Date: Not yet assigned

Examiner: Not yet assigned

Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

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|--|------------------------------------|
| <b>CERTIFICATE OF EXPRESS MAILING</b>  |                                    |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                                    |
| EV 828706268 US<br>(Express Mail Label Number)   | July 14, 2006<br>(Date of Deposit) |
| Deborah A. Kocorowski<br>(Printed Name)  |                                    |
| <br>(Signature)  |                                    |

Mail Stop **AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56**

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), before the mailing date of the first Office Action on the merits.

#### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

The foreign document listed on the attached Form PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International PCT Application. A copy of the PCT International Search Report is attached setting for the portion of the document considered relevant by the Examiner.

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

Although the Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 50-2350.

Respectfully submitted,

Date July 14, 2006

FOLEY & LARDNER LLP  
Customer Number: 61495

By M. Scott McBride

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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|---|---|----|---|--------------------------|--|
| Substitute for form 1449B/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>Date Submitted: July 14, 2006<br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |  |
|   |   |    |   | Application Number       | 10/551,705                             |
|   |   |    |   | Filing Date              | 04/01/2004 (International Filing Date) |
|   |   |    |   | First Named Inventor     | Michael James Moser                    |
|   |   |    |   | Group Art Unit           | Not yet assigned                       |
|   |   |    |   | Examiner Name            | Not yet assigned                       |
|   |   |    |   | Attorney Docket Number   | 023542-0145                            |
| Sheet   | 1 | of | 1 |                          |  |

## U.S. PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |   | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|----------------------|---|--|--|--|
|                       |                          | Number               | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |

## UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Application<br>Document |   | Name of Patentee or Applicant of<br>Cited Document | Filing Date of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|-------------------------------------|---|--|--|--|
|                       |                          | Serial Number                       | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       |                          |                                     |   |  |  |  |
|                       |                          |                                     |   |  |  |  |

## FOREIGN PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|--|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |  |                |
| /AB/                  | A1.                      | WO                      | 03/046149           | A2                                   | Wang et al.   | 06-05-2003   |  |                |
|                       |                          |                         |                     |                                      |   |  |  |                |

## NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|--|----------------|
| /AB/                  | A2.                      | PCT International Search Report based on International Application No. PCT/US04/10029, date of mailing<br>of the International Search Report April 5, 2005 (1 p.).   |                |
|                       |                          |  |                |

Examiner  
Signature

/Amy Bowman/

Date  
Considered

06/09/2009

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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